

REMARKS

In response to the Office Action, Applicants have deleted the amendment to the specification filed on October 3, 2002. Accordingly, Applicants respectfully submit that the objection under 35 USC § 132 is no longer applicable.

Additionally, Applicants have amended claim 1 as suggested by the Examiner to change the language from "comprising" to "consisting of".

Applicants have unexpectedly discovered that a HPMC capsule can be coated with a single coating to create a capsule that does not release its contents in the stomach. Applicants have identified several single coatings that allow drugs to be released in the small intestine as was cited in claim 2, or in the colon and/or terminal ileum as was cited in claim 3. None of the art of record, either Hatano et al. or Watts, teaches a HPMC coating consists essentially of a single coating. Specifically, Hatano requires that multiple coatings be used. In particular, Hatano teaches that the capsule must be coated with a polymer film soluble at low pH and enteric coating film. See p. 3, lines 7-10; and p. 9, lines 3-7 of Hatano.

Additionally, Watts does not cure the deficiencies of Hatano. Specifically, Watts is directed to starch containing capsules with a coating. All of the examples of Watts have multiple coatings. Therefore, even if one of ordinary skill in the art were to

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combine the teachings of Hatano with Watts, as suggested by the Examiner to show the use of a redox-sensitive material in a coated capsule, all one of ordinary skill in the art would achieve would be capsules with more than one coating. There is no teaching or suggestion in the art of record of Applicants claimed invention of a HPMC capsule with a single coating.

Accordingly, Applicants respectfully request that the rejection of claims 1-25 and 28-33 under 35 U.S.C. § 103(a) be withdrawn.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,



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